

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-2, 4-7, 9-36 and 38-39 are presently active in this case. The present Amendment amends Claims 1, 6, 11, 18, 25 and 29 without introducing any new matter or raising new issues.

In the outstanding Office Action, Claims 1, 3, 4-7, 9-36, 38 and 39 were rejected under 35 U.S.C. §112, second paragraph, as indefinite; Claims 1, 2, 6, 7, 15, 22, 25-27, 29-31, 35, 38 and 39 were rejected under 35 U.S.C. §103(a) as unpatentable over Stefik et al. (U.S. Patent No. 6,233,684, herein "Stefik") in view of Schneck et al. (U.S. Pat. No. 5,933,498, herein "Schneck") Perlman (U.S. Patent No. 6,363,480); Claims 4-5, 9-10, 16-17, 23-24, 28 and 32 were rejected under 35 U.S.C. §103(a) as unpatentable over Stefik, Schneck Perlman in further view of Chou et al. (U.S. Patent No. 5,337,357, herein "Chou"); and Claims 11-14 and 18-21 were rejected under 35 U.S.C. §103(a) as unpatentable over Stefik and Schneck.

With respect to the rejection of Claims 1, 3, 4-7, 9-36, 38 and 39 under 35 U.S.C. §112, second paragraph, as indefinite, Claims 1, 6, 11, 18, 25 and 29 have been amended to overcome the rejection. Specifically, Claim 1 has been amended to recite "a judging step configured to judge whether the deciphered data obtained by the deciphering part is for printing or for updating and whether or not deciphered data obtained by the deciphering part is valid." Claims 6, 11, 18, 25 and 29 have been similarly amended. Thus, Claims 1, 6, 11, 18, 25 and 29 now clearly recite that the deciphered data is used for printing or for updating. Accordingly, Applicants respectfully request that the rejection of Claims 1, 3, 4-7, 9-36, 38 and 39 under 35 U.S.C. §112, second paragraph, be withdrawn.

Applicant respectfully requests reconsideration of the rejections of Claims 1-2, 4-7, 9-36 and 38-39 under 35 U.S.C. §103(a), and traverses the rejections, as discussed next.

Amended Claim 1 recites, in part,

...said image forming apparatus comprising:
...a deciphering part configured to decipher data received from the external apparatus, based on the enciphering key stored in the storage part;
a judging part configured to judge whether the deciphered data obtained by the deciphering part is for printing or for updating and whether or not deciphered data obtained by the deciphering part is valid;
a printing part configured to print the deciphered data on a recording medium after the judging part judges that the deciphered data is valid and is for printing; and
a processing part configured to update a version of the program used by the image forming apparatus based on the deciphered data after the judging part judges that the deciphered data is valid, is for updating and includes data for updating the version of the program used by the image forming apparatus.

Claims 6, 11, 18, 25 and 29 recite similar features.

Stefik describes a trusted rendering system for controlling the distribution and use of digital works. In addition, Stefik describes a system, as illustrated in Figure 14, in which encrypted print data is fed through a trust box 1403 before being sent in decrypted form to a printer 1404. Schneck describes a method of controlling access to data that includes user rights. Pearlman teaches a system of generating keys.

The outstanding Office Action states on pages 3 and 4 that Stefik describes a deciphering part and a judging part to determine whether deciphered data is valid. On page 5 the outstanding Action states that Schneck describes updating software if the deciphered data is determined to be valid.

However, Stefik does not describe that the image forming apparatus comprises a deciphering part configured to decipher data received from the external apparatus, based on

the enciphering key stored in the storage part. In contrast, Stefik describes that a trust box 1403 is used to decrypt the encrypted data.

In other words, Stefik describes that the printer receives *unencrypted* data for printing, while the invention of Claim 1 recites that the *image forming apparatus itself deciphers the data* received from an external apparatus, based on an enciphering key stored in a storage part of the image forming apparatus.

In addition, Stefik does not describe or suggest that a judging part *included in the image forming apparatus judges whether the deciphered data obtained by the deciphering part is for printing or for updating and whether or not deciphered data obtained by the deciphering part is valid.*

In other words, Claim 1 recites that encrypted data is received by an image forming apparatus, the encrypted data is decrypted and the decrypted data is judged to determine validity and to determine whether the decrypted data will be for printing or for updating the software of the image forming apparatus. Stefik does not describe or suggest this feature.

The outstanding Office relies on Schneck as describing the feature of updating software using deciphered data. However, Schneck merely describes that upgrades can be restricted to those users that have the right to upgrade. Schneck does not describe judging deciphered data to determine whether it is for printing or for updating the software of the image forming apparatus.

Perlman does not cure the above noted deficiencies of Stefik and Schneck.

Independent Claims 6, 11, 18, 25 and 29 recite features analogous to the features recited in independent Claim 1. Moreover, Claims 6, 11, 18, 25 and 29 have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicant respectfully submits that the rejections of

Claims 6, 11, 18, 25 and 29, and all associated dependent claims, are also believed to be overcome in view of the arguments regarding independent Claim 1.

Accordingly, even assuming that the combination of Stefik, Schneck and Perlman is proper, the applied references fail to teach or suggest all the elements of Applicant's independent claims as is noted above. Thus, Applicant respectfully submits that independent Claims 1, 6, 11, 18, 25 and 29 patentably distinguish over Stefik, Schneck and Perlman considered alone or in combination.

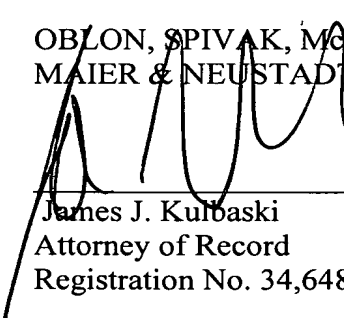
Further, the reference Chou applied in the context of a 35 U.S.C. §103(a) rejection of the dependent claims does not remedy the deficiencies of the references Stefik, Schneck and/or Perlman, taken individually or in combination, as discussed above.

Accordingly, Applicant respectfully requests reconsideration of the rejection of Claims 1-2, 4-7, 9-36 and 38-39.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-2, 4-7, 9-36 and 38-39 is earnestly solicited.

Respectfully submitted,

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